

IN THE SUPREME COURT  
STATE OF NORTH DAKOTA

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2023 ND 211

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Neil Adam McGinnis,

Petitioner and Appellant

v.

State of North Dakota,

Respondent and Appellee

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No. 20230119

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Appeal from the District Court of Burleigh County, South Central Judicial District, the Honorable James S. Hill, Judge.

AFFIRMED.

Per Curiam.

Leo P. O'Day, Fargo, N.D., for petitioner and appellant; submitted on brief.

Robert N. Togni, Assistant State's Attorney, Bismarck, N.D., for respondent and appellee; submitted on brief.

**McGinnis v. State**  
**No. 20230119**

**Per Curiam.**

[¶1] Neil McGinnis appeals from a district court order denying his petition for postconviction relief. On appeal, he argues the district court erred when it found that he made no coherent argument as to why a parole officer’s testimony was perjured and that his attack on the officer’s credibility was made without any admissible supporting evidence. Findings of fact made in a postconviction relief proceeding are subject to the clearly erroneous standard of review. *Bridges v. State*, 2021 ND 232, ¶ 5, 968 N.W.2d 188. After a full review of the record, we conclude the district court’s findings are not clearly erroneous. We summarily affirm under N.D.R.App.P. 35.1(a)(2).

[¶2] Jon J. Jensen, C.J.  
Daniel J. Crothers  
Lisa Fair McEvers  
Jerod E. Tufte  
Douglas A. Bahr